



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
REPRESENTATION OF
EMPLOYEES
of
PROGRESSIVE RAIL, INC.
Train and Engine Service
Employees

40 NMB No. 40

CASE NO. R-7343

CERTIFICATION

February 21, 2013

The services of the National Mediation Board (Board) were invoked by the Brotherhood of Hoggers & Pin-Pullers (BHPP) on November 6, 2012, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, personnel described as "Train and Engine Service Employees," employees of Progressive Rail, Inc. (Carrier).

At the time this application was received, these employees were represented by the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART).

The Board assigned Investigator Cristina Bonaca to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train and Engine Service Employees, and by direction of the Board, the Investigator was instructed to conduct an election to determine the employees' representation choice.

The following is the result of the election as reported by Investigator Bonaca.

<u>Election Results for Train and Engine Service Employees</u>	
Eligible Employees	15
Total Valid Votes	15
BHPP	9
SMART	6
"No" Votes	0
Write-in Votes	0
Void Votes	0

The Board further finds that: the Carrier and employees in this case are, respectively, a Carrier and employees within the meaning of the RLA, as amended; this Board has jurisdiction over the dispute involved herein; and the interested parties, as well as the Carrier, were given due notice of the Board's investigation.

CERTIFICATION

NOW, THEREFORE, in accordance with Section 2, Ninth, of the RLA, as amended, and based upon its investigation pursuant thereto, the Board certifies that the Brotherhood of Hoggers & Pin-Pullers has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Train and Engine Service Employees, employees of Progressive Rail, Inc., its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel